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January 5, 2007

Via Email and First Class Mail

John A. Carrigan, Section Chief
Solid Waste Management
DEP-Northeast Regional Office
205B Lowell Street
Wilmington, MA 01887

Matthew C. Ireland, Esq.
Assistant Attorney General
Environmental Protection Division
Attorney General's Office
100 Cambridge Street, 10th Floor
Boston, MA 02108

Re: New Ventures Associates, LLC; Force Majeure re Geo-Composite and FML

Dear Mr. Carrigan and Attorney Ireland:

This office represents New Ventures Associates, LLC ("New Ventures") and we are writing this letter in compliance with the Force Majeure provisions of Paragraph 16 of the Preliminary Injunction (the "Order"). While New Ventures took steps to attempt to complete the Geocomposite and FML on or before January 5, 2007, the events beyond our control posed a problem to compliance with the completion schedule in the Order. This letter is a follow up to my email of December 20, 2006 providing notice pursuant to Paragraph 16 and my letter dated December 22, 2006.

On or about Monday, December 18, 2006, New England Liner Services, Inc. ("N.E. Liner"), the vendor responsible for providing placement and sealing of the Geocomposite and FML at the Landfill walked away from the site. N.E. Liner abandoned the project in favor of returning to Rhode Island to perform work for another client. New Ventures had performed worked during the week of December 12, 2006 and through the weekend, up to and including, December 16, 2006 and December 17, 2006 to install the gas trenches and to complete the work on Phase II in preparation for the Geocomposite and FML placement during the week of December 18, 2006 through December 22, 2006. New Ventures had discussions during the week of December 12, 2006 to assure N.E. Liner that the Landfill would be prepared for the

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installation on December 18, 2006. New Ventures took steps in response to the failure of N.E. Liner to perform its contractual duties:

1. New Ventures retained another installer to arrange to perform the work.
2. Phase I has been anchored and completed.
3. Phase II has been prepared with the grading, shaping and gas trench installation necessary for the Geocomposite and FML.
4. The second installer, Chenango Contracting Inc. from New York has been on-site since January 2, 2007 and is working toward completion. The material has been placed up to Well 11 with the Geo-Composite. We anticipate completion by the end of next week.

New Ventures remains committed to completing the work and is available to answer any questions.

Thank you.

Sincerely,

Richard A. Nylen, Jr.

RAN/kad

cc: Michael W. Dingle, Esq.
Mr. William Thibeault
Mr. Steven J. Trettel